

SENATE MOTION

MR. PRESIDENT:

I move that Engrossed House Bill 1181 be amended to read as follows:

- 1 Page 1, between the enacting clause and line 1, begin a new
- 2 paragraph and insert:
- 3 "SECTION 1. IC 8-1-2-34.5 IS AMENDED TO READ AS
- 4 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 34.5. (a) The
- 5 Commission shall establish reasonable rules and regulations to govern
- 6 the relations between public utilities and any or all classes of their
- 7 customers. Those rules and regulations shall cover the following
- 8 subjects:
- 9 (1) extension of service;
- 10 (2) extension of credit;
- 11 (3) deposits, including interest thereon;
- 12 (4) billing procedures;
- 13 (5) termination of service;
- 14 (6) complaints; and
- 15 (7) information and notice to customers of their rights under the
- 16 rules.
- 17 (b) Notwithstanding IC 8-1-2-54, the commission may investigate
- 18 and enter orders on complaints filed by individual customers arising
- 19 under this section. The commission may establish an appeals division
- 20 to act on its own behalf regarding individual customer complaints. The
- 21 decision of the division shall be binding on all parties to the complaint.
- 22 The commission shall review decisions of the appeals division upon
- 23 timely request by an affected party.
- 24 (c) This section does not invalidate any rule or regulation adopted
- 25 by the commission before July 1, 1979, to govern the relations between
- 26 public utilities and their consumers if the rule or regulation is
- 27 consistent with this section.
- 28 **(d) Before the commission adopts a rule relating to service**
- 29 **standards, the commission shall consider all of the following:**
- 30 **(1) The effect of the rule on costs to public utilities.**
- 31 **(2) The effect of the rule on the customer's perceived value of**

- 1 utility service.
 - 2 (3) Any studies of customer expectations regarding utility
 - 3 service.
 - 4 (4) The effect of the rule on competition.
 - 5 (5) Suggestions from the regulatory flexibility committee
 - 6 established under IC 8-1-2.6-4.
 - 7 (6) An analysis of customer complaints made to the
 - 8 commission, including a root cause analysis of what changes
 - 9 in standards will have the greatest likelihood to reduce
 - 10 customer complaints.
 - 11 (7) Development of incentive programs to encourage public
 - 12 utilities to exceed minimum service standards.
 - 13 (8) When and how service standards may be reduced or
 - 14 eliminated as competition and market forces reduce the need
 - 15 for regulation.
 - 16 The commission shall file a report explaining how the commission
 - 17 considered the matters described in subdivisions (1) through (8)
 - 18 when adopting the rule.".
 - 19 Page 2, line 16, delete "rule in effect on January 1, 2001;" and insert
 - 20 "rule;".
 - 21 Renumber all SECTIONS consecutively.
- (Reference is to EHB 1181 as printed April 6, 2001.)

Senator SERVER